

Patent  
Attorney's Docket No. 032304-108

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	
	)	
John F. Shanley et al.	)	Group Art Unit: Unassigned
	)	
Application No.: 10/777,283	)	Examiner: Unassigned
	)	
Filed: February 11, 2004	)	Confirmation No.: Unassigned
	)	
For: IMPLANTABLE MEDICAL DEVICE	)	
WITH BENEFICIAL AGENT	)	
CONCENTRATION GRADIENT	)	
	)	

**PRELIMINARY AMENDMENT TRANSMITTAL LETTER**

**MAIL STOP PGPUB DRAWINGS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed is a Preliminary Amendment for the above-identified patent application.

- ☐ A Petition for Extension of Time is also enclosed.
- ☐ A Terminal Disclaimer and the ☐ \$55.00 (2814) ☐ \$110.00 (1814) fee due under 37 C.F.R. § 1.20(d) are also enclosed.
- ☒ Also enclosed is/are Four sheets of Formal Drawing and Return Postcard.
- ☒ Small entity status is hereby claimed.
- ☐ Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the ☐ \$385.00 (2801) ☐ \$770.00 (1801) fee due under 37 C.F.R. § 1.17(e).
- ☐ Applicant(s) requests that any previously unentered after final amendments not be entered. Continued examination is requested based on the enclosed documents identified above.
- ☐ Applicant(s) previously submitted \_\_\_, on \_\_\_, for which continued examination is requested.
- ☐ Applicant(s) requests suspension of action by the Office until at least \_\_\_, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.

- ☐ A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (1809/2809) is also enclosed.
- ☒ No additional claim fee is required.
- ☐ An additional claim fee is required, and is calculated as shown below:

A M E N D E D   C L A I M S					
	NO. OF CLAIMS	HIGHEST NO. OF CLAIMS PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	ADD'L FEE
Total Claims		MINUS =		× \$18.00 (1202) =	0
Independent Claims		MINUS =		× \$86.00 (1201) =	0
If Amendment adds multiple dependent claims, add \$290.00 (1203)					0
Total Claim Amendment Fee					0
If small entity status is claimed, subtract 50% of Total Claim Amendment Fee					0
<b>TOTAL ADDITIONAL CLAIM FEE DUE FOR THIS AMENDMENT</b>					<b>0</b>

☐ A check in the amount of \$ \_\_\_\_\_ is enclosed for the fee due.

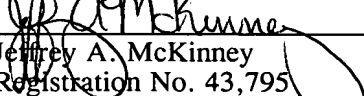
☐ Charge \$ \_\_\_\_\_ to Deposit Account No. 02-4800.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: March 29, 2004

By:   
Jeffrey A. McKinney  
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**PRELIMINARY AMENDMENT**

**MAIL STOP PGPUB DRAWINGS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Please amend the subject application as follows.

**AMENDMENTS TO THE DRAWINGS:**

Please replace the drawings originally filed with the attached drawings: